

that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-01-51 Airbus Industrie: Amendment 39-9125. Docket 94-NM-248-AD.

Applicability: All Model A300, A300-600, A310, A330, and A340 series airplanes, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage, accomplish the following:

(a) Within 7 days after the effective date of this AD, perform an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number (P/N) of those windows, in accordance with paragraph 4.1 of Airbus All Operators Telex (AOT) 30-01, dated December 22, 1994.

(b) If no window manufactured by PPG Industries having P/N NP175202-1 (left-hand side) or NP175202-2 (right-hand side) is installed, no further action is required by this AD.

(c) If any window manufactured by PPG Industries having P/N NP175202-1 (left-hand side) or NP175202-2 (right-hand side) is installed, prior to further flight, accomplish either paragraph (c)(1), (c)(2), or (c)(3) of this AD in accordance with Airbus AOT 30-01, dated December 22, 1994.

(1) Deactivate the associated sliding window defogging system in accordance with the procedures specified in paragraph 4.2.2 of the AOT. The defogging system may remain deactivated until the window is replaced in accordance with paragraph (c)(3) of this AD. Or

Note 2: This AD may permit the defogging system to be deactivated for a longer time than is specified in the Master Minimum Equipment List (M MEL). In any case, the provisions of this AD prevail.

(2) Install thermo-sensitive indicators in two areas of the sliding side window (left- and right-hand sides) in accordance with the procedures specified in paragraph 4.3 of the AOT. Thereafter, perform a daily inspection of the indicators to determine if the 60-degree segment of any indicator turns from light grey to black, in accordance with the procedures specified in paragraph 4.3 of the AOT. If any indicator turns black, prior to further flight, deactivate the associated sliding window defogging system in accordance with paragraph (c)(1) of this AD. Or

(3) Replace the PPG Industries window with a serviceable window manufactured by PPG Industries or by SPS, in accordance with the procedures specified in paragraph 5.1 of the AOT. After such replacement, no further action is required by this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the

Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The actions shall be done in accordance with Airbus All Operators Telex 30-01, dated December 22, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on February 14, 1995 to all persons except those persons to whom it was made immediately effective by telegraphic AD T95-01-51, issued December 29, 1994, which contained the requirements of this amendment.

Issued in Renton, Washington, on January 19, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
[FR Doc. 95-1845 Filed 1-27-95; 8:45 am]

BILLING CODE 4910-13-U

14 CFR Part 39

[Docket No. 94-NM-236-AD; Amendment 39-9129; AD 95-02-10]

Airworthiness Directives; Boeing Model 757 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 757 series airplanes. This action requires replacement of the bolts, nuts, and washers that attach the support bracket at the Number 4 and Number 5 transmissions to the wing flap structure. This amendment is prompted by a report of damage to the left inboard trailing edge flap. The actions specified in this AD are intended to prevent these airplanes from taking off with broken bolts that attach the transmission bracket to the wing flap track structure, which could result in the airplane rolling at liftoff.

DATES: Effective February 14, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 14, 1995.

Comments for inclusion in the Rules Docket must be received on or before March 31, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 94-NM-236-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Carrie Sumner, Aerospace Engineer, Airframe Branch, ANM-121S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2778; fax (206) 227-1181.

SUPPLEMENTARY INFORMATION: Recently, the FAA has received a report of damage to the left inboard trailing edge flap on the wing of a Boeing Model 757 series airplane when the flaps were retracted after the airplane had landed. Investigation revealed that six bolts on the attachment bracket of the inboard flap drive had sheared off when the flaps were retracted. Further investigation revealed that the Number 3 inboard flap outboard drive had disconnected inside the angle gear box, while the Number 4 inboard flap inboard drive continued to retract. This caused a flap skew, which applied sufficient load on the drive screw to fracture the six bolts that attach the Number 4 transmission bracket to its mating flap track. Analysis showed that those six bolts, which were made of titanium, do not meet the designed limit load. If an airplane attempts to take off with broken bolts that attach the transmission bracket to the flap track structure, the result may be the airplane rolling at liftoff.

The FAA has reviewed and approved Boeing Alert Service Bulletin 757-27A0118, dated December 15, 1994, which describes procedures for replacement of the six bolts, nuts, and washers that attach the support bracket at the Number 4 and Number 5 transmission to the inboard trailing edge flap system. The replacement bolts, nuts, and washers (kit number 012N8037) are made of Inconel 718 material, which is stronger and will sustain the designed limit load.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same

type design, this AD is being issued to prevent these airplanes from taking off with broken bolts that attach the transmission bracket to the flap track structure, which could result in the airplane rolling at liftoff. This AD requires replacement of the bolts, nuts, and washers that attach the support bracket at the Number 4 and Number 5 transmission to the inboard trailing edge flap system, with items made of Inconel 718 material. The actions are required to be accomplished in accordance with the alert service bulletin described previously.

This AD applies only to airplanes having line numbers 181 through 647, inclusive. The subject six-bolt attachment configuration was incorporated on airplanes starting at line position 181.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must

submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94-NM-236-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95-02-10 Boeing: Amendment 39-9129. Docket 94-NM-236-AD.

Applicability: Model 757 series airplanes having line numbers 181 through 647 inclusive, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent these airplanes from taking off with broken bolts that attach the transmission bracket to the flap track structure, which could result in the airplane rolling at liftoff, accomplish the following:

(a) Within 60 days after the effective date of this AD, remove the bolts, nuts, and washers that attach the support bracket at the Number 4 and Number 5 transmission for the inboard trailing edge flap system and install kit number 012N8037, in accordance with Boeing Alert Service Bulletin 757-27A0118, dated December 15, 1994.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The installation shall be done in accordance with Boeing Alert Service Bulletin 757-27A0118, dated December 15, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on February 14, 1995.

Issued in Renton, Washington, on January 19, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-1850 Filed 1-27-95; 8:45 am]

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14 CFR Part 39

[Docket No. 94-NM-104-AD; Amendment 39-9111; AD 94-26-16]

Airworthiness Directives; British Aerospace Model Viscount 744, 745D, and 810 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all British Aerospace Model Viscount 744, 745D, and 810 series airplanes, that requires various inspections to detect damage, corrosion, or cracking of certain taper plugs and split bushings of the engine mount, and replacement of taper plugs or split bushings with serviceable parts, if necessary. This amendment is prompted by a report of damage of the taper plug and split bushing of the engine mount due to the effects of corrosion. The actions specified by this AD are intended to prevent such damage, which could lead to failure of the engine mount attachment assembly and consequent separation of the engine from the airplane.

DATES: Effective March 1, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 1, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace Regional Aircraft Ltd., Engineering Support Manager, Military Business Unit, Chadderton Works, Greengate, Middleton, Manchester M24 1SA, England. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all British Aerospace Model Viscount 744, 745D, and 810 series airplanes was published in the **Federal Register** on September 14, 1994 (59 FR 47101). That action proposed to require detailed visual and nondestructive test (NDT) inspections to detect damage, corrosion, or cracking of certain taper plugs and split bushings of the engine mount, and replacement of discrepant parts.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been added to this final rule to clarify this requirement.

The FAA has recently reviewed the figures it has used over the past several years in calculating the economic impact of AD activity. In order to account for various inflationary costs in the airline industry, the FAA has determined that it is necessary to increase the labor rate used in these calculations from \$55 per work hour to \$60 per work hour. The economic impact information, below, has been revised to reflect this increase in the specified hourly labor rate.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 25 Model Viscount 744 and 745D series airplanes